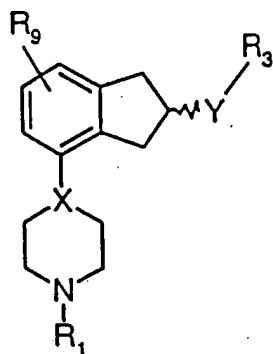


In the claims:

1. (currently amended) A compound ~~having~~ of the formula I



(I)

wherein

X is ~~N~~ or CH;

Y is NR₂CH₂, CH₂NR₂, NR₂CO, CONR₂ or NR₂SO₂

wherein R₂ is H or C₁-C₆ alkyl;

R₁ is H, C₁-C₆ alkyl or C₃-C₆ cycloalkyl;

R₃ is C₁-C₆ alkyl, C₃-C₆ cycloalkyl or (CH₂)_n-~~aryl~~aromatic
ring,

wherein ~~aryl~~ the aromatic ring is phenyl or a

heteroaromatic ring containing one or two heteroatoms

selected from the group consisting of N, O and S and ~~which~~

wherein the aromatic ring may be mono- or di-substituted

with R₄ and/or R₅;

wherein R_4 is H, C_1 - C_6 alkyl, C_3 - C_6 cycloalkyl, halogen, CN, CF_3 , OH, C_1 - C_6 alkoxy, NR_6R_7 , OCF_3 , SO_3CH_3 , SO_3CF_3 , $SO_2NR_6R_7$, phenyl, phenyl- C_1 - C_6 alkyl, phenoxy, C_1 - C_6 alkylphenyl, an optionally substituted heterocyclic ring containing one or two heteroatoms selected from the group consisting of N, O, S, SO and SO_2 wherein the substituent(s) is(are) selected from the group consisting of C_1 - C_6 alkyl C_3 - C_6 cycloalkyl and phenyl- C_1 - C_6 alkyl, an optionally substituted heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, wherein the substituent(s) is (are) selected from the group consisting of C_1 - C_6 alkyl, C_3 - C_6 cycloalkyl and phenyl- C_1 - C_6 alkyl, or COR_8 ;

wherein R_6 is H, C_1 - C_6 alkyl or C_3 - C_6 cycloalkyl;
 R_7 is H, C_1 - C_6 alkyl or C_3 - C_6 cycloalkyl; and
 R_8 is C_1 - C_6 alkyl, C_3 - C_6 cycloalkyl, CF_3 , NR_6R_7 , phenyl, a heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, or a heterocyclic ring containing one or two heteroatoms selected from the group consisting of N, O, S, SO and SO_2 ;

wherein R_5 is H, OH, CF_3 , OCF_3 , halogen, C_1 - C_6 alkyl or C_1 - C_6 alkoxy;

n is 0-4;

R₉ is H, C₁-C₆ alkyl, C₃-C₆ cycloalkyl, OCF₃, OCHF₂, OCH₂F, halogen, CN, CF₃, OH, C₁-C₆ alkoxy, C₁-C₆ alkoxy-C₁-C₆ alkyl, NR₆R₇, SO₃CH₃, SO₃CF₃, SO₂NR₆R₇, an unsubstituted or substituted heterocyclic or heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and S, wherein the substituent(s) is(are) C₁-C₆ alkyl; or COR₈; wherein R₆, R₇ and R₈ are as defined above, ~~as~~ wherein the compound is an (R)-enantiomer, an (S)-enantiomer, or a racemate in the form of a free base or a pharmaceutically acceptable salt or solvate thereof.

2. (currently amended) A The compound according to claim 1 wherein Y is NR₂CO or CONR₂.
3. (cancelled)
4. (currently amended) A The compound according to ~~any one of claims 1-3~~ claim 1 wherein R₁ is H or C₁-C₆ alkyl.
5. (currently amended) A The compound according to ~~any one of claims 1-4~~ claim 1 wherein R₃ is (CH₂)_n-aryl aromatic ring.
6. (currently amended) A The compound according to ~~any one of claims 1-4~~ claim 5 wherein R₃ is ~~(CH₂)_n-aryl~~ which the aromatic ring of substituent R₃ is substituted with R₄, which and R₄ is an optionally substituted heterocyclic or heteroaromatic ring containing one or two heteroatoms selected from the group consisting of N, O and ~~S, S~~_i or COR₈.

7. (currently amended) A The compound according to ~~any one of~~
~~claims 5 and 6~~ claim 5 or 6 wherein n is 0.
8. (currently amended) A The compound according to claim 6
wherein R₈ is NR₆R₇ or a heterocyclic ring containing two
heteroatoms selected from N and O.
9. (currently amended) A The compound according to ~~any one of~~
~~claims 1-8~~ claim 1 wherein R₉ is H, C₁-C₆ alkyl, OCHF₂,
halogen or C₁-C₆ alkoxy.
10. (currently amended) A The compound according to ~~any one of~~
~~claims 1-9~~ claim 1 wherein ~~X is N~~, Y is NR₂CO and R₉ is C₁-C₆
alkoxy.
11. (currently amended) A The compound according to claim 10
wherein ~~X is N~~, ~~Y is NR₂CO~~, R₄ is morpholino or COR₈ and ~~R₉~~
~~is C₁-C₆ alkoxy~~.
12. (currently amended) A The compound according to ~~any one of~~
~~claims 1-9~~ claim 1 wherein ~~X is N~~, Y is NR₂CO and R₉ is C₁-C₆
alkyl.
13. (currently amended) A The compound according to claim 12
wherein ~~X is N~~, ~~Y is NR₂CO~~, R₄ is morpholino or COR₈ and ~~R₉~~
~~is C₁-C₆ alkyl~~.
14. (currently amended) A The compound according to ~~any one of~~
~~claims 1-9~~ claim 1 wherein ~~X is N~~, Y is NR₂CO and R₉ is H.

15. (currently amended) A The compound according to claim 14 wherein ~~X is N, Y is NR₂CO,~~ R₄ is morpholino or COR₈ and ~~R₉ is H.~~
16. (cancelled)
17. (currently amended) A pharmaceutical formulation comprising as active ingredient a therapeutically effective amount of the compound of ~~any one of claims 1-16 as~~ claim 1, wherein the compound is an enantiomer or racemate in the form of a free base or a pharmaceutically acceptable salt or solvate thereof optionally in association with diluents, excipients or inert carriers.
18. (currently amended) A ~~pharmaceutical formulation according to claim 17 for use in~~ method for the treatment of 5-hydroxytryptamine-mediated disorders, comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.
19. (currently amended) A ~~pharmaceutical formulation according to any one of claims 17 or 18 for use in~~ method for the treatment of mood disorders, anxiety disorders, personality disorders, obesity, anorexia, bulimia, premenstrual syndrome, sexual disturbances, alcoholism, tobacco abuse, autism, attention deficit, hyperactivity disorder,

migraine, memory disorders, pathological aggression, schizophrenia, endocrine disorders, stroke, dyskinesia, Parkinson's disease, thermoregulatory disorders, pain, hypertension, urinary incontinence or vasospasm; or for inhibition of tumor growth control of tumors , comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.

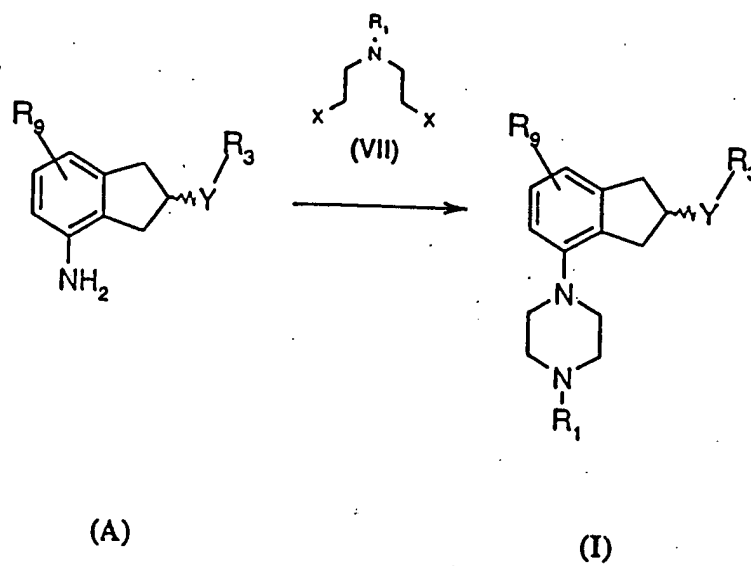
20. (cancelled)

21. (currently amended) ~~A compound as defined in claim 20 for use in~~ method for the treatment of 5-hydroxytryptamine-mediated disorders in the central nervous system, comprising administering to a patient in need of such treatment a therapeutically effective amount of the pharmaceutical formulation of claim 17.

22-29. (cancelled)

30. (currently amended) A method for the treatment of 5-hydroxytryptamine-mediated disorders in the central nervous system and/or urinary incontinence or vasospasm, or for inhibition of tumor growth control of tumors by , comprising administering to a mammal including man patient in need of such a treatment a therapeutically effective amount of a compound defined in any of claims 1-16 claim 1.

31. (currently amended) A The method according to claim 30 for the treatment of mood disorders, anxiety disorders, personality disorders, obesity, anorexia, bulimia, premenstrual syndrome, sexual disturbances, alcoholism, tobacco abuse, autism, attention deficit, hyperactivity disorder, migraine, memory disorders, pathological aggression, schizophrenia, endocrine disorders, stroke, dyskinesia, Parkinson's disease, thermoregulatory disorders, pain or hypertension.
32. (cancelled)
33. (currently amended) A method ~~according to claim 32 wherein the compound according to any one of claims 1-16 is used as a h5-HT_{1B} antagonist~~ for the treatment of 5-hydroxytryptamine-mediated disorders which require treatment with an h5-HT_{1B} antagonist, comprising administering to a patient in need of such treatment a therapeutically effective amount of a compound defined in claim 1.
34. (currently amended) A process for the preparation of the compound of formula I according to claim 1 ~~by~~ , comprising reacting, in the case wherein Y is CONR₂, and R₁, R₂, R₃ and R₉ ~~is~~ are as defined in ~~general formula I~~ in claim 1, a compound of formula A



with a compound of formula **VII**, wherein X is a leaving group.

35. (cancelled)